No. 9900083

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Nickerson S.A.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE , OR USING IT IN CING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY TION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA, FIELD

'Jasmine'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this ninth day of April, in the year two thousand two.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

of Agriculture

REPRODUCE LOCALLY. *Include form number and date on all reproductions.* FORM APPROVED - OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a).

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) *(as it is to appear on the Certificate)*
Nickerson S.A.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER
European name is "Aladin"

3. VARIETY NAME
Jasmine

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*
Station de Recherches
5, Rue de l'Egalite
F-28130 CHARTAINVILLIERS
FRANCE

5. TELEPHONE *(include area code)*
+33 2 37 32 32 92

6. FAX *(include area code)*
+33 2 37 32 41 22

FOR OFFICIAL USE ONLY

PVPO NUMBER 9900083

FILING DATE: December 7, 1998

FEES RECEIVED
FILING AND EXAMINATION FEE: $ 2450.00
DATE: 12/07/98
CERTIFICATION FEE: $ 320.00
DATE: 1/28/02

7. GENUS AND SPECIES NAME
Pisum sativum

8. FAMILY NAME *(Botanical)*
Leguminosae

9. CROP KIND NAME *(Common name)*
Field Pea

10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION *(corporation, partnership, association, etc.) (Common name)*
French corporation (S.A.)

11. IF INCORPORATED, GIVE STATE OF INCORPORATION
N.A.

12. DATE OF INCORPORATION
N.A.

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS
ProGene L.L.C.
860 S. Crestline
Othello, WA 99344
U.S.A. Attention: Kurt Braunwart, Managing Owner

14. TELEPHONE *(include area code)*
(509) 488-3977

15. FAX *(include area code)*
(509) 488-0132

16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED *(Follow instructions on reverse)*

a. [X] Exhibit A. Origin and Breeding History of the Variety
b. [X] Exhibit B. Statement of Distinctness
c. [X] Exhibit C. Objective Description of the Variety
d. [X] Exhibit D. Additional Description of the Variety photograph added 3/3/2000
e. [X] Exhibit E. Statement of the Basis of the Applicant's Ownership
f. [X] Voucher Sample *(2,600 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository)*
g. [X] Filing and Examination Fee ($2,450), made payable to "Treasurer of the United States" *(Mail to PVPO)*

17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? *(See Section 83(a) of the Plant Variety Protection Act)?*
[ ] YES *(If "yes," answer items 18 and 19 below)* [X] NO *(If "no," go to item 20)*

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
[ ] YES [ ] NO

19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?
[ ] FOUNDATION [ ] REGISTERED [ ] CERTIFIED

20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?
[X] YES *(If "yes," give names of countries and dates)* [ ] NO
France - First commercial sales were spring of 1995. Release in other countries in Europe followed that date. First commercial sales in the U.S. were in spring 1998.

21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT *(Owner(s))*
Kurt Braunwart (as representative for applicant Nickerson S.A.)

NAME *(Please print or type)*
Kurt Braunwart as representative of applicant

CAPACITY OR TITLE
Managing owner - ProGene L.L.C.

DATE
11-17-98

SIGNATURE OF APPLICANT *(Owner(s))*

NAME *(Please print or type)*

CAPACITY OR TITLE

DATE

SD-470 (04-96) *(Previous editions are to be destroyed)*

(See reverse for instructions and information collection burden statement)

INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be **received** in the PVPO: (1) Completed application form signed by the owner; (2) completed Exhibits A, B, C, E; (3) at least 2,500 viable untreated seeds, or for tuber reproduced varieties verification that a viable *(in the sense that it will reproduce an entire plant)* tissue culture will be deposited and maintained in a public repository prior to issuance of a certificate; (4) check drawn on a U.S. bank for $2,450 ($300 filing fee and $2,150 examination fee), payable to "Treasurer of the United States" *(See Section 97.175 of the Regulations and Rules of Practice.)* Partial applications will be held in the PVPO for not more than 30 days, then returned to the applicant as unfiled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Blvd., Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of $300 for issuance of the Certificate.

Plant Variety Protection Office
Telephone: (301) 504-5518

ITEM

16a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;

(2) the details of subsequent stages of selection and multiplication;

(3) evidence of uniformity and stability; and

(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified.

16b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:

(1) identify these varieties and state all differences objectively;

(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences;

(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.

16c. Exhibit C forms are available from the PVPO for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.

16d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.

16e. Section 52(4) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. The applicant may be the actual breeder, the employee of the breeder, the owner through purchase or inheritance, etc.

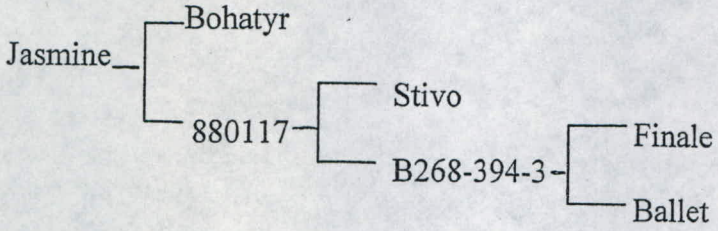
17. If "Yes" is specified *(seed of this variety be sold by variety name only, as a class of certified seed)*, the applicant may NOT reverse this affirmative decision after the variety has been sold and so labelled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. *(See P.L. 103-349 for additional information.)*

20. See Sections 41, 42, and 43 of the Act and Section 97.175 of the regulations for eligibility requirements.

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment is specified in Section 97.175 of the regulations. *(See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of Regulations and Rules of Practice.)*

To avoid conflict with other variety names in use, the applicant should check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089.

EXHIBIT A, Origin and Breeding History: The Pedigree for Jasmine is as followers



The above information takes all of Jasmine's parentage back to named varieties that are publicly known.

Evidence of uniformity and stability: Jasmine (Aladin in Europe) has been observed for four generations in the U.S. by ProGene. (1995 and 1996 in replicated yield plots, 1997 in two seed increase fields and replicated plots, 1998 in seed increase fields, commercial fields and replicated plots.) In seed increase fields the following generations have been observed; Breeders seed, Foundation, Registered, Certified. In all cases Jasmine has shown excellent uniformity and varietal stability.

1. Information on the parentage of Jasmine as crossed in 1987
   Breeding method
   Which generation the selection was made from after the initial cross

2. The year of first seed multiplication in France
   Additionally, the criteria used to select Jasmine for use as a variety in the U.S. included:
   - The excellent standability of Jasmine
   - The good uniform roundness and light yellow color of Jasmine seed
   - The larger seed size of Jasmine
   - The earlier maturity of Jasmine

   The year of first seed multiplication in the U.S. was 1997 from Breeders to Foundation seed

3. Statement of uniformity as found by the French official institution GEVES
   Similarly, in all of our trials and seed increases in the U.S. have shown Jasmine to be stable and uniform.

4. Statement that no variants are present in Jasmine.

NICKERSON

Station de Recherche
5, rue de l'Égalité, 28130 CHARTAINVILLIERS - Tél. 02.37.32.32.92 - Fax : 02.37.32.41.22

9900083

PROGENE
860 CRESTLINE
OTHELLO
WA 99344

Chartainvilliers
November 17th , 1998

To the attention of Kurst BRAUNWART
Copy to E. BELLEST

Re : Protection of our pea variety ALADIN that you will call JASMINE in U.S.A.

Dear Kurt,

Please find below the informations you need :

1. Cross 122/50 X Col.20 made in 1987
   Breeding method : classical pedigree method + SSD
   Selections were made in F6 generation

2. Year of multiplication of the first pre-basic seed : 1993

3. We declare that our official institution GEVES has found the variety stable and uniform after 2 years of study.

4. We declare that ourself as well as our official institutions GNIS and SOC have found **no** variants in the variety.

Best regards,

Christiane DUCHENE

PROGENE LLC

9900083

860 Crestline, Othello, WA 99344
Phone 509.488.3532
Fax 509.488.0132

To: Bob Schlegel
USDA / PVPO
Washington, D.C.

From: Kurt Braunwart
ProGene L.L.C.
Representative for Applicant Nickerson S.A.

November 21, 1998

Subject : Application for PVP of field pea variety Jasmine
EXHIBIT B. Statement of Distinctness

The variety most similar to Jasmine is Swing. Both Jasmine and Swing are Yellow seeded Semi-leafless spring field pea varieties. However there are some distinct differences. Five characteristics have been compared here. All comparisons were made within replicated yield trials using the randomized plot system. The data is from four sources that are denoted as follows in the attached data sheets*:

UofI (year)	University of Idaho followed by the year of the comparison (This will be an average of all sites evaluated)
WSU (year)	Washington State University followed by the year of the comparison (Pullman site only)
ProG (year)	Replicated trials of ProGene L.L.C. at Genesee, Idaho
I(year) ( )	University of Idaho – Year – Initial of site of replicated trial
W(year) ( )	Washington State University – Year – Initial of site of replicated trial
ND(year) ( )	North Dakota State University – Year – Initial of site of replicated trial

Because of oftentimes-dramatic differences in growing conditions, North Dakota and Pacific Northwest (Washington/N. Idaho) results are evaluated separately before combining results where possible.

Additional in depth statistical comparisons of Jasmine and Swing will be made at the ProGene trial site between Jasmine and Swing in the future. Color chart comparisons of the two varieties will also be made.

Days to 1st Bloom - While the days to 1st bloom are significantly longer in North Dakota than the Pacific Northwest, Swing is consistently just ahead of Jasmine in reaching first bloom. (First bloom is the date that 80% of the plants have 1 or more blossoms.) The attached statistical analysis shows Jasmine to be 1 day later than Swing and to be significantly different.

Nodes to 1st Bloom - This data is available only from the Pacific Northwest but would be expected to be consistent with what would be found in North Dakota. The attached data sheet shows Jasmine to reach 1st bloom one node later than Swing at 17 nodes average over the past two years.

Days to Physiological Maturity - Both varieties are close to the same maturity on the average.

Plant Height at maturity - This characteristic varies dramatically with growing conditions for each comparison. However, both varieties respond to conditions similarly for plant height. Even though the statistics indicated that results are not significant, Jasmine consistently grows slightly taller than Swing.

Seed Size in Grams/1000 Seeds - This characteristic again varies with growing conditions as noted when comparing North Dakota size comparison with the Pacific Northwest. However, the changes are quite consistent and the attached statistical comparison shows that Jasmine has a significantly larger seed size than Swing in side by side comparisons.

* Statistical comparison data sheets follow for each characteristic addressed above.

11-21-1998

Days to 1st Bloom comparison - Jasmine/Swing - Jasmine PVP application

TREATMENT	N.D.	Pac NW	AVERAGE
Jasmine	45.52	58.25	51.89
Swing	44.43	57.25	50.84
AVGS	44.97	57.75	51.36

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	1	163.20	163.20	%55705.67	SIGNF
TREATMENTS	1	1.09	1.09	372.67	SIGNF
ERROR	1	0.00	0.00		
TOTAL	3	164.29			

LSD(5%)= 0.69

CV= 0.11%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	50.84	A
Jasmine	51.89	B

11-20-1998

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96/97 N. Dakota comparative days to 1st bloom - Jasmine PVP appli

TREATMENT	ND96 C	ND96 L	ND96 M	ND97 C	ND97 L	ND97 M	AVERAGE
Jasmine	48.00	43.30	44.00	45.00	46.80	46.00	45.52
Swing	46.30	42.80	44.00	44.00	45.50	44.00	44.43
AVGS	47.15	43.05	44.00	44.50	46.15	45.00	44.98

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	5	21.99	4.40	15.79	SIGNF
TREATMENTS	1	3.52	3.52	12.64	SIGNF
ERROR	5	1.39	0.28		
TOTAL	11	26.90			

LSD(5%)= 0.78

CV= 1.17%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	44.43	A
Jasmine	45.52	B

11-21-1998

1997 & 1998 Pacific NW days to 1st bloom - Jasmine PVP application

TREATMENT	WSU 97	WSU 98	UofI 98	ProG 98	AVERAGE
Jasmine	50.00	66.00	62.00	55.00	58.25
Swing	50.00	64.00	59.00	56.00	57.25
AVGS	50.00	65.00	60.50	55.50	57.75

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	3	250.50	83.50	50.10	SIGNF
TREATMENTS	1	2.00	2.00	1.20	NS
ERROR	3	5.00	1.67		
TOTAL	7	257.50			

THE F-VALUE WAS NOT SIGNIFICANT. LSD COMPUTED MAY HAVE NO MEANING.

LSD(5%)= 2.90

CV= 2.24%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	57.25	A
Jasmine	58.25	A

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11-21-1998

1997 & 1998 Pacific NW nodes to 1st bloom - Jasmine PVP application

TREATMENT	UofI 97	WSU 97	UofI 98	WSU 98	ProG 98	AVERAGE
Jasmine	15.00	18.00	17.00	19.00	17.00	17.20
Swing	14.00	16.00	15.30	18.00	16.70	16.00
AVGS	14.50	17.00	16.15	18.50	16.85	16.60

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	4	16.89	4.22	18.97	SIGNF
TREATMENTS	1	3.60	3.60	16.18	SIGNF
ERROR	4	0.89	0.22		
TOTAL	9	21.38			

LSD(5%)= 0.83

CV= 2.84%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	16.00	A
Jasmine	17.20	B

11-21-1998

Days to Physiological Maturity - Jasmine/Swing - Jasmine PVP appli

TREATMENT	N.D.	Pac NW	AVERAGE
Jasmine	80.66	90.50	85.58
Swing	78.96	91.50	85.23
AVGS	79.81	91.00	85.40

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	1	125.22	125.22	68.64	NS
TREATMENTS	1	0.12	0.12	0.07	NS
ERROR	1	1.82	1.82		
TOTAL	3	127.16			

THE F-VALUE WAS NOT SIGNIFICANT. LSD COMPUTED MAY HAVE NO MEANING.

LSD(5%)= 17.16

CV= 1.58%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	85.23	A
Jasmine	85.58	A

11-20-1998

96/97 N. Dakota days to physiological maturity - Jasmine PVP

TREATMENT	ND96 C	Nd 96 L	ND96 M	ND97 C	ND97 L	AVERAGE
Jasmine	85.30	83.50	72.00	79.50	83.00	80.66
Swing	83.50	85.00	71.00	75.50	79.80	78.96
AVGS	84.40	84.25	71.50	77.50	81.40	79.81

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	4	235.41	58.85	25.77	SIGNF
TREATMENTS	1	7.23	7.23	3.16	NS
ERROR	4	9.14	2.28		
TOTAL	9	251.77			

THE F-VALUE WAS NOT SIGNIFICANT. LSD COMPUTED MAY HAVE NO MEANING.

LSD(5%)= 2.65

CV= 1.89%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	78.96	A
Jasmine	80.66	A

11-21-1998

'97/'98 Pacific NW days to physiological maturity - Jasmine PVP appli

TREATMENT	WSU 97	WSU 98	AVERAGE
Jasmine	84.00	97.00	90.50
Swing	84.00	99.00	91.50
AVGS	84.00	98.00	91.00

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	1	196.00	196.00	196.00	SIGNF
TREATMENTS	1	1.00	1.00	1.00	NS
ERROR	1	1.00	1.00		
TOTAL	3	198.00			

THE F-VALUE WAS NOT SIGNIFICANT. LSD COMPUTED MAY HAVE NO MEANING.

LSD(5%)= 12.71

CV= 1.10%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Jasmine	90.50	A
Swing	91.50	A

11-21-1998

Plant Height comparison - Jasmine/Swing - cm - Jasmine PVP application

TREATMENT	N.D.	Pac NW	AVERAGE
Jasmine	79.20	75.00	77.10
Swing	73.07	70.77	71.92
AVGS	76.13	72.88	74.51

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	1	10.56	10.56	11.71	NS
TREATMENTS	1	26.84	26.84	29.74	NS
ERROR	1	0.90	0.90		
TOTAL	3	38.30			

THE F-VALUE WAS NOT SIGNIFICANT. LSD COMPUTED MAY HAVE NO MEANING.

LSD(5%)= 12.07

CV= 1.27%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	71.92	A
Jasmine	77.10	A

11-20-1998

1996 & 1997 N. Dakota comparative heights for Jasmine PVP application

TREATMENT	ND96 C	ND96 L	ND96 M	ND97 C	ND97 L	ND97 M	AVERAGE
Jasmine	78.50	113.60	48.20	68.00	98.40	68.50	79.20
Swing	72.50	112.80	50.30	52.00	94.90	55.90	73.07
AVGS	75.50	113.20	49.25	60.00	96.65	62.20	76.13

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	5	5944.80	1188.96	49.05	SIGNF
TREATMENTS	1	112.84	112.84	4.65	NS
ERROR	5	121.20	24.24		
TOTAL	11	6178.84			

THE F-VALUE WAS NOT SIGNIFICANT. LSD COMPUTED MAY HAVE NO MEANING.

LSD(5%)= 7.31

CV= 6.47%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	73.07	A
Jasmine	79.20	A

11-21-1998

1997 & 1998 Pacific NW comparative heights for Jasmine PVP application

TREATMENT	UofI97	WSU 97	ProG 97	UofI 98	WSU 98	ProG 98	AVERAGE
Jasmine	69.20	67.00	80.00	77.80	71.00	85.00	75.00
Swing	71.80	56.00	73.00	71.80	70.00	82.00	70.77
AVGS	70.50	61.50	76.50	74.80	70.50	83.50	72.88

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	5	540.82	108.16	9.39	SIGNF
TREATMENTS	1	53.77	53.77	4.67	NS
ERROR	5	57.61	11.52		
TOTAL	11	652.20			

THE F-VALUE WAS NOT SIGNIFICANT. LSD COMPUTED MAY HAVE NO MEANING.

LSD(5%)= 5.04

CV= 4.66%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	70.77	A
Jasmine	75.00	A

11-21-1998

Grams/1000 Seeds comparison - Jasmine/Swing - Jasmine PVP application

TREATMENT	N.D.	Pac NW	AVERAGE
Jasmine	289.00	233.00	261.00
Swing	255.33	200.67	228.00
AVGS	272.17	216.83	244.50

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	1	3061.41	3061.41	%6756.21	SIGNF
TREATMENTS	1	1089.00	1089.00	%2403.31	SIGNF
ERROR	1	0.45	0.45		
TOTAL	3	4150.86			

LSD(5%)= 8.55

CV= 0.28%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	228.00	A
Jasmine	261.00	B

11-20-1998

'96/'97 N. Dakota comparative gm/1000 seeds - Jasmine PVP application

TREATMENT	ND96 C	ND96 L	ND96 M	ND97 C	ND97 L	ND97 M	AVERAGE
Jasmine	301.00	306.00	267.00	284.00	303.00	273.00	289.00
Swing	257.00	269.00	249.00	240.00	268.00	249.00	255.33
AVGS	279.00	287.50	258.00	262.00	285.50	261.00	272.17

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	5	1776.69	355.34	6.29	SIGNF
TREATMENTS	1	3400.38	3400.38	60.16	SIGNF
ERROR	5	282.63	56.53		
TOTAL	11	5459.69			

LSD(5%)= 11.16

CV= 2.76%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	255.33	A
Jasmine	289.00	B

11-21-1998

'97/'98 Pacific NW gm/1000 seeds - Jasmine PVP application

TREATMENT	I97 NP	I97 V	I98 NP	I98 M	WSU 98	ProG 98	AVERAGE
Jasmine	198.00	278.00	214.00	259.00	227.00	222.00	233.00
Swing	169.00	250.00	192.00	215.00	200.00	178.00	200.67
AVGS	183.50	264.00	203.00	237.00	213.50	200.00	216.83

ANOVA SUMMARY TABLE

SOURCE	df	SS	MS	F	SIGNF
BLOCKS	5	8456.69	1691.34	38.68	SIGNF
TREATMENTS	1	3136.38	3136.38	71.73	SIGNF
ERROR	5	218.63	43.72		
TOTAL	11	11811.69			

LSD(5%)= 9.82

CV= 3.05%

LSD SUMMARY TABLE:

TREATMENT	OBS. MEAN	
Swing	200.67	A
Jasmine	233.00	B

FORM APPROVED: OMB NO. 0581-0055

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
Science Division
NATIONAL AGRICULTURAL LIBRARY
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Pea)

OBJECTIVE DESCRIPTION OF VARIETY
PEA *(PISUM SATIVUM)*

NAME OF APPLICANT(S)
Nickerson S.A. by ProGene L.L.C. as representative

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)
860 S. Crestline
Othello, WA 99344
U.S.A.

VARIETY NAME OR TEMPORARY DESIGNATION
Jasmine

FOR OFFICIAL USE ONLY
PVPO NUMBER 9900083

Place the appropriate number that describes the varietal character in the boxes below.
Place a zero in first box (e.g. [0][8][9] or [0][9]) when number is either 99 or less or 9 or less.

1. TYPE:

[2] 1 = GARDEN 2 = FIELD 3 = EDIBLE-PODDED

2. MATURITY:

[17] Node number of first bloom: [ ][ ][ ] No. of days to processing [ ][ ][ ][ ] Heat Units

1=Columbian Alaska

[0][6] No. of days *Earlier* than . . . [1] 1 = ~~ALASKA WR~~ 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[ ][ ] No. of days *Later* than . . . . [ ] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

[0][7][7] CM. HIGH

[1][6] Cm. *Shorter* than . . . . . [1] 1 = ALASKA Columbian 2 = THOMAS LAXTON WR 3 = LITTLE MARVEL

[0][5] Cm. *Taller* than . . . . . [7] 4 = WANDO 5 = ALDERMAN WR 6 = AUSTRIAN WINTER 7=Swing

4. VINE:

[1.5] Habit: 1.5=intermediate 1 = DETERMINATE 2 = INDETERMINATE [2] Stockiness: 1 = SLIM (Alaska) 2 = MEDIUM (Thomas Laxton WR) 3 = HEAVY (Alderman)

[2] Branching: 1 = NONE (Alaska) 2 - 1–2 BRANCHES (Little Marvel) 3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar)

[1] Internodes: 1 = STRAIGHT 2 = ZIG ZAG [2][1] NUMBER OF NODES

5. LEAFLETS:

NONE Present - Jasmine is an Afilia or Semi-Leafless plant type

[ ] Color: 1 = LIGHT GREEN (Alaska WR) 2 = MED. GREEN (Thomas Laxton WR) 3 = DARK GREEN (Alderman) 4 = OTHER (Specify)

[ ] Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM 4 = HEAVY [ ] 1 = NOT MARBLED 2 = MARBLED (Alaska)

[ ] Number of leaflet pairs: 1 = NOT PAIRED 2 = ONE 3 = TWO 4 = THREE OR MORE

6. STIPULES:

[2] 1 = LACKING 2 = PRESENT [2] 1 = NOT CLASPING 2 = CLASPING

[1] 1 = NOT MARBLED 2 = MARBLED [ ] Size (Compared with leaflets): 1 = SMALLER 2 = SAME 3 = LARGER
No leaflets

[ ] No leaflets
Color (Compared with leaflets): 1 = LIGHTER 2 = SAME 3 = DARKER

7. FLOWER COLOR:

[6] VENATION [1] STANDARD [1] WING [7] KEEL 1 = WHITE 2 = GREENISH 3 = LAVENDER 4 = PURPLE 5 = RED 6 = OTHER (Specify) yellow green

FORM LMGS-470-14 (3-83) (Formerly Form LPGS-470-14, 8-80 which may be used.)

7. greenish / white

9900083

8. PODS:

[2] Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

[2] End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)

[2] Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman) 4 = OTHER (Specify) _____

pod width corrected as per fax of 7-25-00 RWS 7-31-2000

[1] Surface: 1 = SMOOTH (Canning Stage) 2 = ROUGH

[1] Surface: 1 = SHINY (Canning Stage) 2 = DULL

[4] Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE 5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____

[7.1] CM. LENGTH (7.1 cm Avg. Length)

[11.7] MM. WIDTH (Between sutures) (11.7 mm Avg. Width)

[5.5] NO. SEEDS PER POD (5.5 peas/pod on Avg.)

9. SEEDS (95–100 Tenderometer):

N/A - Pea Variety is NOT Harvested at Fresh Stage

[ ] Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) Yellow cotelydon at dry state

Seive: %	1	2	3	4	5	6	7	8	AVERAGE

SEEDS (Dry, Mature):

[3.5] Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED

[1] Surface: 1 = SMOOTH 2 = DIMPLED 3 = WRINKLED

[2] Surface: 1 = SHINY 2 = DULL

[1] Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED

[1] (seed coat) Primary Color: Color Chart 159A from "The Royal Horticulture Society" chart Green/Yellow group.

[ ] Secondary Color: 1 = CREAMY–WHITE 2 = CREAM & GREEN 3 = LIGHT GREEN 4 = MEDIUM GREEN 5 = DARK GREEN 6 = BLUE–GREEN 7 = YELLOW 8 = BROWN 9 = RED 10 = GRAY 11 = BLACK

[2] Hilum Floor Color: 1 = WHITE 2 = TAN 3 = BLACK

[2] Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE — Color chart 22A from "The Royal Horticulture Society" Green/Yellow group

[ ] GRAMS PER 100 SEEDS

North Dakota = 28.9 gm/100 seeds over 3 sites 1996 & 3 sites 1997

Pacific NW = 23.3 gm/100 seeds over 2 sites 1997 & 4 sites 1998

10. DISEASE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[2] FUSARIUM WILT - Race 1

[ ] NEAR–WILT

[ ] DOWNY MILDEW

[2] ASCOCHYTA BLIGHT Aschocyta pisi (Race C)

[1] POWDERY MILDEW

[ ] BACTERIAL BLIGHT

[1] MOSAIC Common Mosaic Virus

[1] PEA ENATION MOSAIC

[ ] YELLOW BEAN MOSAIC

[1] OTHER (Specify) Aphonomeces 1 Fusariose oxysporum Race 1 2 Erysiphae pisi

11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

[1] APHIDS

[ ] OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	Swing	Fresh Seed Color	
Leaf Color	Swing	Mature Seed Color	Rex
Pod Color		Seed Shape	Rex
Pod Shape		Plant Habit	Swing

COMMENTS:

APPENDIX
OBJECTIVE DESCRIPTION OF VARIETY
PEA (*Pisum sativum*)

9900083

Variety Name or Temporary Designation: 'Jasmine'

LEAFLET CHARACTERISTICS:

[2] Leaflet Type: 1=Leafless 2=Semi 3=Normal

STIPULE CHARACTERISTICS:

[2] Color:
1=Light-Green 2=Medium-Green 3=Dark-Green 4=Blue-Green 5=Yellow-Green 6=Other

Please provide comparative varieties (check varieties) and stipule color.

Variety Name	Stipule Color

Variety Name	Stipule Color

Variety Name	Stipule Color

See Below ~~See~~ Via Cola Chart Value

137B Jasmine

Color Chart Value: Circle the Color Chart Used to Determine Values
(Royal Horticulture Society Color Chart) or Munsell Color Chart

Please provide comparative varieties (check varieties) and color chart value.

Variety Name	Color Chart Value
Swing	137B

Variety Name	Color Chart Value
Athos	138A

Variety Name	Color Chart Value
Majoret	137A

[2] Size: 1=Small 2=Medium 3=Large

Please provide example varieties of similar specified size or check varieties and stipule size.

Variety Name	Stipule Size
Swing	119% of Jasmine

Variety Name	Stipule Size
Athos	155% of Jasmine

Variety Name	Stipule Size
Majoret	112% of Jasmine

OTHER CHARACTERISTICS: Describe other characteristics that may aid in identification.

Notice attached picture

Exhibit D:

REPRODUCE LOCALLY. *Include form number and date on all reproductions.*

FORM APPROVED - OMB NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)
Nickerson S.A.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER

3. VARIETY NAME
Jasmine

4. ADDRESS *(Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)*
Station de Recherches
5, Rue de l'Egalite
F-28130 CHARTAINVILLIERS
FRANCE

5. TELEPHONE *(include area code)*
+33 2 37 32 32 92

6. FAX *(include area code)*
+33 2 37 32 41 22

7. PVPO NUMBER
9900083

8. Does the applicant own all rights to the variety? *Mark an "X" in appropriate block.* If no, please explain. [X] YES [ ] NO

9. Is the applicant *(individual or company)* a U.S. national or U.S. based company? [ ] YES [X] NO
If no, give name of country FRANCE

10. Is the applicant the original owner? [X] YES [ ] NO *If no, please answer the following:*

a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?
[ ] YES [ ] NO *If no, give name of country* _____

b. If original rights to variety were owned by a company, is the original owner(s) a U.S. based company?
[ ] YES [X] NO *If no, give name of country* FRANCE

11. Additional explanation on ownership *(If needed, use reverse for extra space):*
Attached please find a FAX of a letter written and signed by the breeder for Nickerson S.A. atesting to their ownership of the Yellow Field Pea Variety "Jasmine".

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.

2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.

3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-5881 (voice) or (202) 720-7808 (TDD).
To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

NICKERSON

Station de Recherche
5, rue de l'Égalité, 28130 CHARTAINVILLIERS - Tél. 02.37.32.32.92 - Fax : 02.37.32.41.22

9900083

We, **NICKERSON S.A.**
5, Rue de l'Egalité
F- 28130 CHARTAINVILLIERS
FRANCE

Certify that the pea variety **JASMINE**
(named ALADIN in FRANCE)

Has been bred by our pea breeder – Mrs Christiane DUCHENE

and that **NICKERSON S.A.** is the only owner of the variety.

Chartainvilliers,
November 17th, 1998

Christiane DUCHENE

Director of Station